

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Board and Care Home Registration Act is
5 amended by changing Sections 2 and 3 and by adding Sections 6
6 and 7 as follows:

7 (225 ILCS 7/2)

8 Sec. 2. Definitions. In this Act:

9 "Board and care homes" or "facility" means a publicly or
10 privately operated residence that has fewer than 12 adults who
11 are unrelated to the resident manager.

12 "Department" means the Department of Public Health
13 ~~Department on Aging~~.

14 (Source: P.A. 89-387, eff. 8-20-95.)

15 (225 ILCS 7/3)

16 Sec. 3. Registration.

17 (a) Every board and care home located in this State shall
18 register with the Department. Registration shall be in the form
19 prescribed by the Department and shall include the following:

20 (1) The name, address, and telephone number of the
21 facility.

22 (2) The name, address, and telephone number of the
23 owner of the facility.

24 (3) The number of residents of the facility.

25 (4) A registration fee, as determined, by the
26 Department.

27 (b) Every registration issued under this Act shall be valid
28 for 2 years. Upon renewal, the facility must re-apply and meet
29 the registration requirements under this Section.

30 (c) The Department shall promulgate rules to protect the
31 rights and safety of the residents and to enforce the

1 provisions of this Act.

2 (d) No public official, agent, or employee may place any
3 person in, or recommend that any person be placed in, or
4 directly or indirectly cause any person to be placed in any
5 board and care home that is not registered.

6 (e) No public official, agent, or employee may place the
7 name of an unregistered establishment that is required to be
8 registered under this Act on a list of programs.

9 (f) Failure of a board and care home to comply with the
10 provisions of this Section is punishable by a fine of up to
11 \$1,000.

12 (g) Failure of a board and care home to comply with the
13 provisions of this Section within 90 days after the initial
14 finding of noncompliance is punishable by a fine of \$1,000 on
15 each day the provisions of this Section are not complied with.

16 (Source: P.A. 89-387, eff. 8-20-95.)

17 (225 ILCS 7/6 new)

18 Sec. 6. Transfer of authority. The authority granted to the
19 Department on Aging by this Act is hereby transferred to the
20 Department of Public Health by this amendatory Act of the 94th
21 General Assembly. For the purposes of Section 9b of the State
22 Finance Act, the Department of Public Health is the successor
23 to the Department on Aging with respect to all matters under
24 this Act. The Department on Aging shall forthwith transfer all
25 property and records relating to matters under this Act to the
26 Department of Public Health.

27 (225 ILCS 7/7 new)

28 Sec. 7. Assisted Living and Shared Housing Regulatory Fund.
29 All registration fees and fines collected pursuant to the
30 provisions of this Act shall be deposited into the Assisted
31 Living and Shared Housing Regulatory Fund. Subject to
32 appropriation, moneys deposited into the Fund shall be used for
33 the administration of this Act and the Assisted Living and
34 Shared Housing Act.

1 Section 10. The Assisted Living and Shared Housing Act is
2 amended by changing Section 160 as follows:

3 (210 ILCS 9/160)

4 Sec. 160. Assisted Living and Shared Housing Regulatory
5 Fund. There is created in the State treasury a special fund to
6 be known as the Assisted Living and Shared Housing Regulatory
7 Fund. All moneys received by the Department under this Act and
8 the Board and Care Home Registration Act shall be deposited
9 into the Fund. Subject to appropriation, moneys in the Fund
10 shall be used for the administration of this Act and the Board
11 and Care Home Registration Act. Interest earned on moneys in
12 the Fund shall be deposited into the Fund.

13 (Source: P.A. 91-656, eff. 1-1-01.)